



FEDERAL ELECTION COMMISSION
Washington, DC 20463

Robert M. Telthorst
Register Number: 22710-031
FCI El Reno
El Reno, OK 73036

MAR 24 2015

RE: MUR 6867

Dear Mr. Telthorst:

On March 19, 2015, the Federal Election Commission accepted the signed conciliation agreement you submitted in settlement of violations of 52 U.S.C. §§ 30102(b)(3), 30104(b), and 30114 (formerly 2 U.S.C. §§ 432(b)(3), 434(b), and 439a), provisions of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003) and Statement of Policy Regarding Placing First General Counsel's Reports on the Public Record, 74 Fed. Reg. 66,132 (Dec. 14, 2009). Information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 52 U.S.C. § 30109(a)(4)(B) (formerly 2 U.S.C. § 437g(a)(4)(B)).

Enclosed you will find a copy of the fully executed conciliation agreement for your files. If you have any questions, please contact Tracey L. Ligon, the attorney assigned to this matter, at (202) 694-1650.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Allen".

Mark Allen
Acting Assistant General Counsel

Enclosure
Conciliation Agreement

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
FEDERAL ELECTION
COMMISSION

2015 FEB -2 PM 3: 05

In the Matter of

Robert M. Telthorst

OFFICE OF THE GENERAL
COUNSEL

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (the "Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that Robert M. Telthorst ("Respondent") knowingly and willfully violated 52 U.S.C. §§ 30102(b)(3), 30104(b), and 30114 (formerly 2 U.S.C. §§ 432(b)(3), 434(b), and 439a).

NOW, THEREFORE, the Commission and Respondent, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over Respondent and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 52 U.S.C. § 30109(a)(4)(A)(i) (formerly 2 U.S.C. § 437g(a)(4)(A)(i)).

II. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondent enters voluntarily into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. The Lynn Jenkins for Congress Committee (the "Committee") is a political committee within the meaning of 52 U.S.C. § 30101(4) (formerly 2 U.S.C. § 431(4)).

2. Robert M. Telthorst was the treasurer of the Committee from April 19, 2009, to February 24, 2010.

3. Under the Federal Election Campaign Act of 1971, as amended, (the "Act") a committee, through its treasurer, is required to keep an accurate account of and disclose its receipts, disbursements, and cash-on-hand balances. *See* 52 U.S.C. §§ 30102(c), 30104(b) (formerly 2 U.S.C. §§ 432(c), 434(b)); 11 C.F.R. §§ 104.3, 104.14(d).

4. Committees are required to file reports with the Commission through their treasurers disclosing, among other things, the amount of cash on hand at the beginning of the reporting period and the total amount of disbursements, including the name and address of each person to whom an expenditure exceeding \$200 is made together with the date, amount, and purpose of the expenditure. *See* 52 U.S.C. § 30104(b)(1), (2), (4)(G), (5), (6)(A) (formerly 2 U.S.C. § 434(b)(1), (2), (4)(G), (5), (6)(A)).

5. The Act and Commission regulations prohibit any person from converting contributions to a federal candidate to personal use, 52 U.S.C. § 30114(b)(1) (formerly 2 U.S.C. § 439a(b)(1)), and further require that all funds of a political committee be "segregated from, and may not be commingled with, the personal funds of any individual." *Id.* § 30102(b)(3) (formerly 432(b)(3)); 11 C.F.R. § 102.15.

6. A knowing and willful violation of the Act requires full knowledge of all of the relevant facts and a recognition that the action is prohibited by law.

7. Between August 28 and September 1, 2009, while serving as treasurer of the Committee, Telthorst made three withdrawals of Committee funds totaling \$21,300, and deposited the funds into an unauthorized account outside of the Committee's depository bank. The unauthorized account was held by Telthorst personally in the name of "Robert M. Telthorst

Sole Prop DBA Lynn Jenkins for Congress." Telthorst repeatedly withdrew and returned funds from the unauthorized account for personal purposes.

8. Telthorst refunded \$21,308.92 from the unauthorized account to the Committee's account in April 2010.

9. Telthorst concealed his activity by failing to disclose the withdrawals of the Committee's funds, as well as his subsequent return of the funds, in reports he prepared and filed with the Commission.

V. Respondent committed the following violations:

1. Respondent knowingly and willfully violated 52 U.S.C. § 30102(b)(3) (formerly 2 U.S.C. § 432(b)(3)) by mixing the Committee's funds with his personal funds.
2. Respondent knowingly and willfully violated 52 U.S.C. § 30104(b) (formerly 2 U.S.C. § 434(b)) by failing to file accurate reports with the Commission.
3. Respondent knowingly and willfully violated 52 U.S.C. § 30114 (2 U.S.C. § 439a) by converting campaign funds to personal use.

VI. Respondent will cease and desist from violating 52 U.S.C. §§ 30102(b)(3), 30104(b), and 30114 (formerly 2 U.S.C. §§ 432(b)(3), 434(b), and 439a).

VII. Respondent Robert Telthorst, through the submission of financial documentation to the Commission and additional representations, has indicated that financial hardship prevents him from paying any civil penalty to the Commission. On November 14, 2012, Telthorst pleaded guilty to wire fraud (18 U.S.C. § 1343) and money laundering (18 U.S.C. § 1956), and was sentenced to 60 months in prison and ordered to pay \$537,680 in restitution. Telthorst is currently serving his prison sentence and has assorted debts, including back taxes of \$32,192, and virtually no assets. The Commission regards these submissions and representations as

material representations. Due to Telthorst's financial condition, the Commission agrees to depart from the civil penalty that it would normally seek for the violations at issue, and the Commission agrees that no civil penalty shall be due. If evidence is uncovered indicating Respondent's financial condition is not as stated, a civil penalty of thirty-two thousand dollars (\$32,000) shall be immediately due, pursuant to 52 U.S.C. § 30109(a)(5)(B) (formerly 2 U.S.C. § 437g(a)(5)(B)).

VIII. The Commission, on request of anyone filing a complaint under 52 U.S.C. § 30109(a)(1) (formerly 2 U.S.C. § 437g(a)(1)) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

IX. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

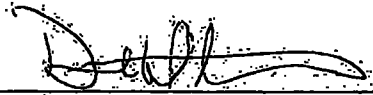
X. Respondent shall have no more than thirty (30) days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

XI. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral,

made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

BY:




Daniel A. Petalas
Associate General Counsel
for Enforcement

Date

3/23/15

FOR THE RESPONDENT:



Robert M. Telthorst

Date

1-22-2015